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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,239	03/30/2004	Ratinder Paul Ahuja	06897.P007	8137
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Patent Capital Group 6119 McCommas Blvd Dallas, TX 75214			EXAMINER	
CHEN, SHIN HON				
ART UNIT		PAPER NUMBER		
2431				
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03/17/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/815,239

Applicant(s)

AHUJA ET AL.

Examiner

SHIN-HON CHEN

Art Unit

2431

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,8,10-12,14-16 and 18-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8,10-12,14-16 and 18-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 3-5, 8, 10-12, 14-16, and 18-23 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 7-12 and 14-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Peled et al. U.S. Pub. No. 20020129140 (hereinafter Peled).
4. As per claim 1, Peled discloses a computer implemented method comprising: maintaining a plurality of stored signatures, each signature being associated with one of a plurality of registered documents (Peled: [0013]: signature of protected data is stored); intercepting packets being transmitted over a network (Peled: [0055]: the network is a packet network and the transport data monitor enable the signature extractor to extract a signature from a buffered/intercepted batch of packets); reassembling the packets into an intercepted document (Peled: [0055] lines 3-4: buffered batch of packets); calculating a set of signatures associated with the intercepted document (Peled: [0054]-[0056]: extract signature and the signature extractor comprises a binary hash function used to calculate signatures); and comparing the set of signatures associated with the intercepted document with the plurality of stored signatures to determine if the intercepted document contains content associated with a registered document,

wherein each registered document is associated with a user that requested registration of the document (Peled: [0020]: comparator; [0011]: protect rightful usage and privacy of users; [0019]: the database of at least one preobtained description of content whose movement it is desired to monitor).

5. As per claim 3, Peled discloses the method of claim 1. Peled further discloses if the comparison results in a match of at least one of the signatures in the set of signatures with one or more of the plurality of stored signatures, then detecting registered content from the registered document being contained in the intercepted document (Peled: [0027]: multilevel description includes signature).

6. As per claim 4, Peled discloses the method of claim 3. Peled further discloses alarming the user that requested registration of the registered document in response to detecting the registered content (Peled: [0092]: taking enforcement action).

7. As per claim 5, Peled discloses the method of claim 3. Peled further discloses halting delivery of the intercepted document (Peled: [0079]).

8. As per claim 7, Peled discloses the method of claim 1. Peled further discloses wherein calculating the set of signatures of the intercepted document comprises calculating a plurality of hashes over one or more portions of the intercepted object (Peled: [0057]: hash).

9. As per claim 8, 10-12, 14-16, and 18-23, claims 8, 10-12, 14-16, and 18-23 encompass the same scope as claims 1, 3-5 and 7. Therefore, claims 8, 10-12, 14-16, and 18-23 are rejected based on the same reasons set forth above in rejecting claims 1, 3-5 and 7.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peled in view of Koike U.S. Pub. No. 20030084300 (hereinafter Koike).

12. As per claim 6, 13 and 21, Peled discloses the method of claims 5, 12 and 20 respectively. Peled does not explicitly disclose prompting the user that registered the registered document for permission to deliver the intercepted object, receiving permission from the user, and completing delivery of the intercepted object in response to receiving permission. However, Koike discloses when a privacy data administrator detects a match in the privacy filter, transmit a inquiry to user as to whether it is allowed to provide the data, and provide data upon permission by user (Koike: [0024]). It would have been obvious to one having ordinary skill in the art to allow the owner of the data to determine the action to be performed upon detection of unauthorized transport because both prior art disclose prevention of protected data from unauthorized access. Therefore, it would have been obvious to one having ordinary skill in the

art to combine the teachings of Koike within the system of Peled because it enforces dynamic rules on the user preference.

Response to Arguments

13. Applicant's arguments filed 12/23/08 have been fully considered but they are not persuasive.

On the other hand, applicant argues that the prior art of record fails to disclose that each registered document is associated with a user that requested registration of the document. However, the examiner disagrees. Peled discloses the system contains a database that contains pre-obtained description which means that a user is indicating certain contents to be monitored and the content to be monitored is "associated" with the user because the user made the request (Peled: [0011]: protect rightful usage and privacy of users; [0019]: the database of at least one preobtained description of content whose movement it is desired to monitor). Although Peled does not explicitly disclose registering and associating document with user, the database disclosed by Peled would require user to register the content to be protected as well known in the art. Therefore, applicant's argument is traversed.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ayaz R. Sheikh/
Supervisory Patent Examiner, Art Unit 2431

Shin-Hon Chen
Examiner
Art Unit 2431

S.C.